

Telford & Wrekin Council

Licensing Committee – 30th March 2017

Hackney Carriage Approved List of Vehicles

Report of the Service Delivery Manager - Public Protection

1. PURPOSE

- 1.1** For Members to determine whether the Peugeot E7 S, E7 SE and E7 XS will be licensed by Telford & Wrekin Council as hackney carriages.

2. RECOMMENDATIONS

- 2.1.1** That having considered all relevant information, Members determine whether the Peugeot E7 S, E7 SE and E7 XS standard specification models should be added to the Council's approved list of hackney carriages.

3. SUMMARY

- 3.1** On 16th January 2013, Members of the Council's Licensing Committee resolved to include the Peugeot E7 SE and XS models, with additions to the standard specifications, on the Council's approved list of licensed Hackney Carriage Vehicles.
- 3.2** The Principal Licensing Officer has received two requests to licence a standard E7 model which does not have the additions, to the standard specification, included on the E7 models currently on the Council's approved list.

4. PREVIOUS MINUTES

- 4.1** LC – 24 - Licensing Committee 16th January 2013
- 4.2** 4.- Licensing Sub Committee 1st February 2016
- 4.3** LC -15- Licensing Committee 20th December 2016

5. INFORMATION

5.1 Background

- 5.1.1** Condition Number 2 (*Type of Vehicle*), of the Council's conditions of licence for Hackney Carriages, gives the criteria relating to the type of

vehicles Telford & Wrekin Council will licence as Hackney Carriages. The Council's licence conditions are attached at **Appendix A**.

- 5.1.2 There are three manufacturer's specifications of the Peugeot E7 model available, namely the E7 S, E7 SE and E7 XS. The manufacturer's vehicle specification showing additional features by model is attached at **Appendix B**. The full brochure is attached at **Appendix C**.
- 5.1.3 The model and specifications of Peugeot E7 vehicles approved by Telford & Wrekin Council's Licensing Committee for licensing as Hackney Carriages are as follows. The Peugeot E7 SE with the addition to the standard specification of hearing loop, extra electric step and swivel flip seat and the Peugeot E7 XS which has two electric steps with the addition to the standard specification of a hearing loop and a swivel flip seat (**Appendix D**).
- 5.1.4 The Principal Licensing Officer has received two applications to licence a E7 vehicle of standard specification, i.e. which does not have the additions to the standard specification on the models currently on the Council's approved list.
- 5.1.5 Following a comprehensive review of the Council's hackney carriage and private hire policies and licence conditions, on 20th December 2016 Members resolved that the proposed amended policies and licence conditions be implemented on 1st April 2017. The Council's revised conditions of licence for hackney carriages, which take effect on 1st April 2017, are attached at **Appendix E**.
- 5.1.6 The Council's revised condition number 2. *Type of Vehicle* states :

All vehicles submitted to the Council for licensing as Hackney Carriages shall meet the safety standards of one of the following ; M1 Category European Whole Vehicle Type Approval; British National Type approval; or British Single Vehicle Approval (before 29 April 2009); or Individual Vehicle Approval (from 29 April 2009).

The proprietor shall ensure that the Hackney Carriage vehicle shall only be of the type approved for Hackney Carriage use by the Council, namely a purpose-built/multi-purpose vehicle built to carry up to eight passengers with factory fitted seatbelts, subject to the following:

The vehicle must have provision for a minimum of at least one wheelchair.

The Peugeot E7 S, E7 SE and E7 XS models with standard specification comply with these conditions of licence. (**Appendix C** pages 4, 5 & 16.)

5.2 Equal Opportunities

5.2.1 The proposed vehicle does not have a hearing loop or swivel seat fitted. These adaptations support people who have a hearing impairment and/or a mobility restriction to access the vehicle, known as a reasonable adjustment. This recommendation represents a potential loss of opportunity for people with a disability as this condition has applied to previous vehicles applications.

5.2.2 However, there are some mitigations;

- Disability Awareness training is delivered to all hackney carriage drivers as a licensing condition. They are aware of how to communicate with people who have hearing loss when they do not have a hearing loop.
- Wheelchair accessibility remains a licensing condition; it is the choice of seating position that is being reduced. This may reduce some ride comfort but is not an insurmountable barrier to safe access.
- For some license holders these particular adjustments may no longer be a reasonable because their cost is too high.

5.2.3 Any loss of opportunity of physical access for people with a disability must be balanced against the potential for increasing the overall availability of hackney carriages across the Borough. This recommendation would improve the likelihood of Hackney Carriages being available to use for the entire community including people with a disability.

5.3 Environmental Impact

5.3.1 *E7's HDi engine comfortably exceeds the Euro 5 emissions standard, which means it substantially reduces harmful exhaust fumes that can pollute towns and cities. CO2 emissions - the 'greenhouse gas' that causes global warming - are also significantly lower than other hackney taxis. The HDi engine can even operate on up to 30% bio diesel. (Appendix C)*

5.4 Legal Comment

5.4.1 The Council's Licensing Committee has resolved to include a number of specified vehicle models as being appropriate vehicles to be included on the Council's designated list of Hackney Carriage Vehicles.

5.4.2 Although the Committee has previously approved certain models of the Peugeot E7 vehicle the application is to permit vehicles of the same type but different models which do not appear on the current approved list of vehicles.

- 5.4.3 The Licensing Committee can add or remove vehicles and different specifications of vehicles from its approved list if they are of the view that there is/are valid reasons to do so in the particular circumstances when supported by sufficient evidence from the applicant. The main issues for consideration are whether the vehicle is suitable in type, size and design for the use as a hackney carriage vehicle. This will include consideration of issues such as layout, accessibility and ease of escape in an accident.

5.5 Links with Corporate Priorities

- 5.5.1 This report has links to:

- Protect and Create Jobs as a Business Winning Council
- Protect and support our vulnerable children and adults

5.6 Opportunities and Risks

- 5.6.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

- 5.6.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

- (i) The Council being unable to successfully defend an Appeal to the Crown Court and the financial risks of the costs of an Appeal.

5.7 Financial Implications

- 5.7.1 The license fee for Hackney Carriages has been reviewed as part of a wider review of license fees which is being considered under a separate report. There are no direct financial implications arising from this report.
MLB 17.03.17

6. WARD IMPLICATIONS

- 6.1 This report has implications for all wards in the District.

7. BACKGROUND PAPERS

- 7.1.1 Town Police Clauses Act 1847
7.1.2 Local Government (Miscellaneous Provisions) Act 1976
7.1.3 Human Rights Act 1998.
7.1.4 Road Traffic Act 1988
7.1.5 Public Service Vehicle Accessibility Regulations 2000
7.1.6 Equality Act 2010
7.1.7 Department for Transport's Guidance to Local Authorities on the Equality Act 2010.

7.1.8 Road Vehicle (Construction and Use) Regulations 2003

7.1.9 Telford & Wrekin Council's Conditions of Licence for Hackney Carriages

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